

### REMARKS

This Amendment in an RCE is filed in response to the Final Action of August 26, 2009 in which claims 1-13 and 16-23 were rejected.

#### **Rejections under 35 USC § 103**

Claim 1 has been amended as follows:

*“...if the transport format combination set reconfiguration message indicates a change in the size of transport format combination identifiers, checking a parameter value indicating a change of a basic physical subchannel utilized by the terminal and ordered by a network related to said terminal, and...”*

The support is found from old claim 3.

Cited D1 (US 2002/0167969 A1, Eriksson) still does not teach that one TFC, which has a characteristic TFCI and which is indicated by a TFCS reconfiguration message, is reserved merely to specify the settings of the transmitted or received information. It just describes according to the AA that TFCs are utilised for configuring transport channels for the transmission or reception of the given radio block.

Thus, D1 lacks the feature of *“transmitting a TFCS reconfiguration message to a terminal over a certain basic physical subchannel, said TFCS reconfiguration message indicating one TFC with a certain TFCI exclusively for signalling use.”*

In D1 is taught that a TFCI portion in a radio block shows the used TFC, but it reveals nothing about the reconfiguration message, which points out a change regarding the size of the TFCIs and which generates the checking of the parameter that defines a network initiated BPSCH change for the terminal.

Therefore, D1 does not disclose the feature of *“if the TFCS reconfiguration message indicates a change in the size of TFCIs, checking a parameter value indicating a change of a basic physical subchannel utilized by the terminal and ordered by a network.”*

When D1 teaches nothing about the checking operation of the parameter defining the network initiated BPSCH change for the terminal because of the change in the size of the TFCIs, it is self-evident that D1 does not describe how a current

configuration is changed to another or the current configuration will be used also in future in consequence of the checking of the parameter, which defines the network initiated BPSCCH change for the terminal.

Consequently, D1 does not also disclose the feature of *“starting to use a new configuration indicated by the TFCS reconfiguration message or staying with the existing configuration as a result of the checking”*.

According to the above, D1 does not disclose the method of amended claim 1.

The Examiner is referred also to the remarks made by the Applicants in the previous Request for Reconsideration filed 23 October 2009 for further highlighting the differences between the invention of the current application and D1.

The same arguments are also relevant concerning what the skilled person in the art would do in view of the teachings of D1 and D2 (US 7,480,261 B2).

Withdrawal of the obviousness rejection of claim 1 is requested.

#### **Other claim amendments**

The other independent claims have been correspondingly amended as in claim 1 above the same remarks as made above apply equally to them.

Withdrawal of the obviousness rejection of claims 10, 16 and 19 is requested as well.

The dependent claims 2-9, 11-13, 17-18 and 10-21 are nonobviousness for at least the same reasons.

The objections and rejections of the Office Action of August 26, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1, 2, 4-13, and 16-23 to issue is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, reading "Francis Maguire". The signature is written in a cursive, flowing style with a large initial 'F'.

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